

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

DAVID LEE JEMISON,

Plaintiff,

vs.

THEODORE FULGHAM, ET AL.,

Defendants.

CV-97-P-0518-W

ENTERED

AUG 29 1997

FILED
97 AUG 29 PM 1:46

U.S. DISTRICT COURT
N.D. OF ALABAMA

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on July 21, 1997, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed as frivolous under 28 U.S.C. § 1915A(b). The plaintiff filed objections to the report and recommendation on August 18, 1997.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed as frivolous pursuant to 28 U.S.C. § 1915A(b). An appropriate order will be entered.

DATED this 29th day of August, 1997.


SAM C. POINTER, JR.
CHIEF JUDGE